IMT Nuremberg Archives

H - 3144

International Court of Justice

H3144 - 0002

OFFICE OF CHIEF OF COUNSEL FOR WAR CRIMES

EVIDENCE DIVISION

Date : 21 July 1948

I certify that Document Number 3415-PS was introduced into evidence as Exhibit Number USA-559 in the Trial by the International Military Tribunal of Hermann GOERING, et al, which commenced on 20 November 1945, and that the attached photostat is a true and correct copy of the original.

Fred Niebergall

Fred NIEBERGALL
Chief, Document
Control Branch.

H3144 - 0003

C E R T I F I C A T E

I hereby certify that the annexed document 5413-PS No. USA-559 is a photostat of an original document submitted in evidence by the United States Prosecution under this number. The original document has been withdrawn in accordance with Rule 10 of the International Military Tribunal, and to the best of my knowledge and belief is to be held at the National Archives, Washington D.C. .

Nuremberg, 1 July 1948

Paul Joosten

PAUL A. JOOSTEN

General Secretary
International Military
Tribunal

affidavit no. 15.
8.12.45

1

ERKLABRUNG

ALS CHEF DES GENST. DER 4. ARMEE VOM MAI 1942 BIS JUNI 1943 ,ZU DER AUCH SPAETERHIN DAS GEBIET DER 9.ARMEE TRAT,HATTE ICH MEHRFACH GELEGENHEIT MICH MIT DER BANDENBEKAEMPFUNG DIENSTLICH ZU BEFASSEN.
FUER DIE DURCHFUEHRUNG DIESER KAMPFHANDLUNGEN WAR FUER DIE TRUPPE VON HOECHSTER STELLE,WIE Z.B.AUCH VOM OBER-KOMMANDO DES HEERES ANGEORDNET,MIT SCHAERFSTEN MITTELN DURCHZUGREIFEN.DIESE KAMPFHANDLUNGEN WURDEN MIT TRUP-PEN DER HEERESGRUPPE UND DER ARMEE,WIE Z.B. SICHERUNGS BATAILLONEN DURCHGEFUEHRT.

ANFANGS WURDEN GEMAESS DEN AUF DEM DIENSTWEGE GEGEBE-NEN BEFEHLENNUR WENIGE GEFANGENEN GEMACHT.GEMAESS BEFEHL WURDEN JUDEN,POLITSCHE KOMMISSARE UND AGENTEN DEM SD UEBERGEBEN.

DIE IN DEN OFFIZIELLEN BERICHTEN ERWAEHNTEN GEFALLE-NEN DES FEINDES WAREN SEHR GROSS GEGENUEBER UNSEREN EIGENEN GEFALLENEN.

ICH BIN ERST JETZT AUF GRUND DER MIR VORGELEGTEN DOKUMENTE ZU DER ERKENNTNIS GEKOMMEN,DASS MIT DER ANORDNUNG ZUR SCHAERFSTEN DURCHFUEHRUNG DES BANDEN-KAMPFES VON HOECHSTER STELLE MOEGLICHERWEISE IM END-ZIEL DER ZWECK VERFOLGT WURDE,DEN MILITAERISCHEN BANDENKAMPF DES HEERES AUCH DAZU AUSZUNUTZEN,DIE RUECKSICHTSLOSE LIQUIDIERUNG DES JUDENTUMS UND ANDE-RER UNERWUENSCHTER ELEMENTE ZU ERMOEGLICHEN.

H3144 – 0004

aff 15 2

ERKLAERUNG

8.12.45
~~28.11.45~~ *

IN ERGAENZUNG MEINER ERSTEN ERKLAERUNG VOM ..... ERKLAERE ICH:

WIE ICH AUCH IN MEINER MUENDLICHEN AUSSAGE AM 28.11. 45 BETONT HABE,HAT MEIN DAMALIGER OBERBEFEHLSHABER DER 4.ARMEE DIE TRUPPE MEHRFACH DARAUFHIN GEWIESEN, DEN BANDENKAMPF NICHT HAERTER ZU FUEHREN,ALS ES DIE JEWEILIGE LAGE TATSAECHLICH ERFORDERTE.DER KAMPF SOLLTE NUR DANN BIS ZUR VERNICHTUNG DES GEGNERS GEFUEHRT WERDEN,WENN ALLE VERSUCHE ,IHN ZUR UEBERGABE ZU VERANLASSEN FEHL SCHLUEGEN.ABGESEHEN VON HUMANEN GRUENDEN HATTEN WIR SELBST EIN INTERESSE DARAN,GEFANGENE ZU MACHEN,DA SEHR VIELE VON DIESEN SEHR GUT ALS ANGEHOERIGE VON FREIWILLIGEN LANDESEIGENEN BANDENBEKAEMPFUNGSTRUPPEN ZU VERWENDEN WAREN.

NEBEN DER NOTWENDIGEN AKTIVEN BANDENBEKAEMPFUNG WURDE IMMERFORT PROPAGANDISTISCH AUF DIE BANDEN UND AUCH AUF DIE BEVOELKERUNG EINGEWIRKT,UM DIESE MIT GUETLICHEN MITTELN DAZU ZU VERANLASSEN ,VON DEM BANDENUNWESEN ABZULASSEN.SO WURDEN Z.B. AUCH DIE FRAUEN IMMER WIEDER AUFGEFORDERT,IHRE MAENNER AUS DEM BUSCH ZU HOLEN ODER SIE SONSTWIE VON DEM EINTRITT IN DIE BANDEN ABZUHALTEN.DIESE PROPAGANDAARBEIT HATTE AUCH GUTE ERFOLGE.SO WAR DAS GEBIET DER 4. ARMEE IM FRUEHJAHR 1943 FAST SO GUT WIE BANDENFREI.LEDIGLICH AN DEN GRENZEN MACHTEN SICH DAMALS VORUEBERGEHEND BANDEN BEMERKBAR ALS DIESE AUS NACHBARGEBIETEN IN DAS GEBIET DER 4.ARMEE HINUEBERWECHSELTEN.DIE ARMEE MUSSTE DAHER AUCH SICHERUNGSKRAEFTE AN DIE SUEDL. NACHBARARMEE AUF BEFEHL DER HEERESGRUPPE MITTE ABGEBEN.

H3144 – 0005

aff 15 3

CITY OF NURNBERG: SS

Before me, WALTER H. RAPP, Captain, Cavalry, ASN O-454231, an officer duly qualified to take oaths, appeared General der Panzertruppen HANS ROETTIGER, to me known, who in my presence signed the foregoing statement consisting of two pages in the German language, and swore that the same was true on the 8th day of December 1945.

Walter H. Rapp
WALTER H. RAPP
Captain CAV
O-454231

H3144 – 0006

TRANSLATION OF AFFIDAVIT NO. 15
OFFICE OF U.S. CHIEF OF COUNSEL

STATEMENT

8 December 1945

As Chief of Staff of the 4th Army from May 1942 to June 1943, to which was later added the area of the 9th Army, I often had occasion to concern myself officially with anti-partisan warfare. During these operations the troops received orders from the highest authority, as for example even the OKH, to use the harshest methods. These operations were carried out by troops of the Army Group and of the Army, as for example security battalions.

At the beginning in accordance with orders which were issued through official channels only a few prisoners were taken. In accordance with orders, Jews, political commissars and agents were delivered up to the SD.

The number of enemy dead mentioned in official reports was very high in comparison with our own losses. From the documents which have been shown to me I have now come to realize that the order from highest authorities for the harshest conduct of the anti-partisan war can have been intended to make possible a ruthless liquidation of Jews and other undesirable elements by using for this purpose the military struggle of the army against the partisans.

(signed) ROETTIGER

STATEMENT

Supplementary to my above declaration of 8 December 1945, I declare: As I stated orally on 28 November 1945 my then Commander in Chief of the 4th Army instructed his troops many times not to wage war against the partisans more severely than was required at the time by the position. This struggle should only be pushed to the annihilation

H3144 - 0007

of the enemy after all attempts to bring about a surrender failed. Apart from humanitarian reasons we necessarily had an interest in taking prisoners since very many of them could very well be used as members of native volunteer units against the partisans.

Alongside the necessary active combatting of partisans there was propaganda directed at the partisans and also at the population with the object by peaceful means of causing them to give up partisan activities. For instance in this way the women too were continually urged to get their men back from the forests or to keep them by other means from joining the partisans. And this propaganda had good results. In the spring of 1943 the area of the 4th Army was as good as cleared of partisans. Only on its boundaries and then from time to time were partisans in evidence at times when they crossed into the area of the 4th Army from neighboring areas. The army was obliged on this account on the orders of the Army Group to give up security forces to the neighboring army to the south.

(signed) ROETTIGER

CITY OF NURNBERG: SS

Before me, WALTER H. RAPP, Captain, Cavalry, ASN O-454231, an officer duly qualified to take oaths, appeared General der Panzertruppen HANS ROETTIGER, to me known, who in my presence signed the foregoing statement consisting of two pages in the German language, and swore that the same was true on the 8th day of December 1945.

(signed) Walter H. Rapp
WALTER H. RAPP
Captain Cav
O-454231

TRANSLATOR'S NOTE: (The above acknowledgement of oath appeared in the original in English)

H3144 - 0008

aff 15 6

CERTIFICATE OF TRANSLATION
OF DOCUMENT

I, PAUL A. NEULAND, Major, QMC, ASN O-385720, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Affidavit No. 15.

Paul A. Neuland

PAUL A. NEULAND
Major QMC
O-385720

H3144 – 0009

H3144-0009A

IMT 15-3713-PS
USA-559

H-3144

USA 559

A093402

Affidavit 15 - Exhibit U.S.A. 559

Filed Jan. 7 1946

5713

SD-3-PS

H3144 – 0010

H3144-0011

6 pages